

JPA No.: 06-122I
AG Contract No.: KR07-0112TRN
Amendment No. 1
Project No.:
Project: SR 87
Section: Toh Vee Road MP 190.40
TRACS No.: HX19801C
Budget Source Item No.: 71207

**AMENDMENT NO. 1
TO
INTERGOVERNMENTAL AGREEMENT**

**BETWEEN
THE STATE OF ARIZONA
AND
FORT MCDOWELL YAVAPAI NATION**

THIS AGREEMENT is entered into this date October 5, 2007, Amendment No. 1 to JPA No. 06-122, A.G. Contract No.: KR07-0112TRN, filed with the Secretary of State under No. 28831, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the FORT MCDOWELL YAVAPAI NATION, acting by and through its Tribal Council and (the "Nation"). The State and the Tribe are collectively referred to as "Parties".



I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 48-201 and to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The Nation is empowered by its Tribal Council to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Tribe.

On the top right hand corner on this first page, the Project information was incorrect and has been amended as follows:

Project : SR 87

THEREFORE, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

NO. 28831
Filed with the Secretary of State
Date Filed: 10-5-07

Secretary of State
By: 

II. SCOPE OF WORK

Article II, Paragraph c. is deleted and amended in full as follows:

1. The State shall:

c. Upon completion of the Project, remit to the Nation 50% of the construction cost, currently estimated at \$290,000.00.

EXCEPT AS AMENDED herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement the day and year first above written.

FORT MCDOWELL YAVAPAI NATION

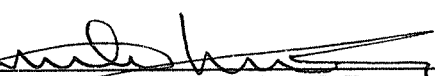
STATE OF ARIZONA
Department of Transportation

By



RAPHAEL BEAR, President
Fort McDowell Yavapai Nation

By



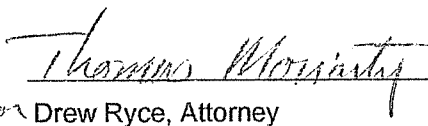
MICHAEL P. MANTHEY, P.E.
State Traffic Engineer


ATTORNEY APPROVAL FORM FOR THE FORT MCDOWELL YAVAPAI NATION

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the FORT MCDOWELL YAVAPAI NATION, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the Nation under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 5th day of June, 2007.


for Drew Ryce, Attorney

<p>TERRY GODDARD Attorney General</p>	<p> OFFICE OF THE ATTORNEY GENERAL STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan.Davis@azag.gov</p>
---	--	--

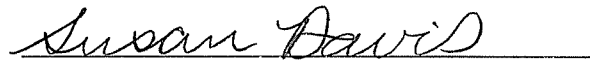
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR07-0112TRN (**JPA 06-122-I, Amendment No. 1**), an Agreement between public agencies, i.e., The State of Arizona and Fort McDowell Yavapai Nation, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: October 1, 2007

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:mjf:69171
Attachment